

CHAPTER 106

TOBACCO GROWING (CONTROL OF)
ORDINANCE

To control the cultivation of tobacco.

(14th July, 1939)*

Enacted by ORDINANCE XLIV of 1939, as amended by Ordinance XXV of 1962; Legal Notice 4 of 1963; and Act XIII of 1983.

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| <p>1. This Ordinance may be cited as the Tobacco Growing (Control of) Ordinance.</p> | Short title. |
| <p>2. (1) No person shall grow tobacco in Malta for any purpose whatsoever, without obtaining a licence from the Director of Agriculture in accordance with regulations made under this Ordinance.</p> <p>(2) The licence shall be valid for one year from the date of issue and may be renewed from year to year.</p> <p>(3) A fee at the rate of one lira for every one thousand one hundred and twenty-four square metres of land or part thereof to which the licence refers, shall be levied by the Director of Agriculture in respect of the issue of every such licence and of each renewal thereof.</p> | Licence for growing tobacco.
<i>Amended by: XIII.1983.5.</i> |
| <p>3. Every applicant for a licence shall, in his application, give a description of the land to which the application refers, stating the area of the land in square metres and shall attach to the application a sketch plan of the land to the satisfaction of the Director of Agriculture.</p> | Application for licence. |
| <p>4. It shall be lawful for the Minister responsible for agriculture to make regulations -</p> <p>(a) for determining the conditions under which licences may be granted or renewed;</p> <p>(b) for prescribing the form in which applications for such licences shall be made;</p> <p>(c) for limiting the number of licences to be granted at any time; and</p> <p>(d) generally, for carrying out the provisions of this Ordinance and of the regulations made thereunder.</p> | Power of Minister to make regulations.
<i>Amended by: XXV.1962.4; L.N. 4 of 1963.</i> |
| <p>5. The Director of Agriculture and any person authorized by him may, at all reasonable times, enter, inspect and survey any land to which a licence to grow tobacco refers, and any land on which he has reasonable cause to believe that tobacco is being grown in contravention of the provisions of this Ordinance or of any regulations made thereunder, and may take samples of seeds or</p> | Power of Director of Agriculture to inspect land on which tobacco is grown. |

*See Proclamation No. XXXIV of the 14th of July, 1939.

plants for examination and call for any invoices, books or other documents connected with the growing of tobacco on such land or with the disposal of such tobacco.

Power to prohibit cultivation of tobacco.
Amended by:
XXV.1962.4;
L.N. 4 of 1963.

6. It shall be lawful for the Minister responsible for agriculture, when he deems it to be expedient in the public interest, to prohibit by a notice in the Government Gazette the cultivation of tobacco in any part of Malta, and after the date of any such notice no licence for the cultivation of tobacco shall be issued or renewed:

Provided that all licences in force on such date shall remain valid until the date of their expiration.

Return to be made by licensee.

7. Every person to whom a licence under this Ordinance has been granted shall, if so required by the Director of Agriculture, make a return giving such information as the Director of Agriculture may direct regarding the cultivation of tobacco, the crop realized, the price at which the tobacco was sold, and the name and address of the purchaser of such tobacco.

Offences and penalties.
Amended by:
XIII.1983.5.

8. Any person who obstructs the Director of Agriculture or any person authorized by him in the lawful discharge of his duties under the provisions of this Ordinance, and any person who commits a breach of, or fails to comply with, any of the provisions of this Ordinance or of any regulations made thereunder, shall, on conviction, be liable to a fine (*multa*) not exceeding twenty liri:

Provided that where the offence consists in the growing of tobacco without a licence, the offender shall be liable to an additional fine equal to double the fee which would have been payable by him under the provisions of article 2(3).